

Claims 1-14 remain in the application. Claims 9-14 have been withdrawn from consideration.

In item 3 on pages 2-3 of the above-mentioned Office action, claims 1, 3, 5 and 7 have been rejected as being unpatentable over Gluntz et al. (European Publication No. 0 620 560 A1) in view of Shirochika (Japanese Publication No. 05-196776 A) or Ishimoto (Japanese Publication No. 62-108939 A) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

- a condenser communicating with said pressure chamber through a flow path;

- a condensing pipe leading into said condensing chamber;
- and

- a drain pipe for noncondensable gases, said drain pipe disposed in said interior space and fluidically connecting said top region of said pressure chamber to said condensing chamber, said drain pipe defining a direct connection to said condensing chamber, and said drain pipe not connected to said condenser.

The basic concept in the system according to Gluntz et al. completely differs from the concept of the invention of the instant application. The object of the invention of the instant application is to remove the gases, which may possibly arise within the containment in case of an accident and which are not condensable, from the inside of the containment independent of the steam and thus via an independent branch line. According to the invention of the instant application, the drain pipe (22) is provided for this purpose, which, in case of a design basis accident, leads the condensable gases from the interior into the condensing chamber. In contrast, the steam that appears in case of a design basis accident is not led off via the drain pipe (22) but rather condensed by the condenser (16) so that the water initially collects in the flood basin (8). The condensed steam reaches into the condensing chamber via pipes connected downstream of the flood basin. As a whole, the result is a medium-dependent parallel connection of the flow guide for the non-condensable gases, on the one hand, and the condensable steam on the other hand. This medium-dependent parallel connection enables a particularly targeted treatment of the different media.

In contrast to the invention of the instant application, the system according to Gluntz et al. provides a single common flow path for both media, i.e. for the non-condensable gases as well as for the condensable steam. In this system, the

non-condensable gases are guided via the inlet 60 together with the condensable steam via the condenser 54 and initially cooled. Both parts are fed to the collector 64 only thereafter, from where a draining into the respective condensing chambers takes place. With this flow path a separate and thus targeted influence of the individual flows of medium is not possible.

The component 64 in Gluntz et al. is not a condenser but rather a collector for the media which drain from the condenser 54. A person skilled in the art can only gather from Gluntz et al. that in the system where the condenser 54 is located outside of the actual containment, a collector 64 for a medium which drains from the condenser 54 can be provided within the containment. A person skilled in the art would not consider any knowledge from the field of heat exchangers or condensers in combination with the collector 64 in the system according to Gluntz et al. and would therefore not use concepts from condenser construction in the pipe conduit for the connections of the collector 64.

Additionally, the modification of the connection of the collector 64 as assumed by the Examiner would change its basic and function-indicating switching in the entire flow path. It cannot be seen that such a change, especially in view of

safety demands, would even be admissible or suitable in the power plant.

Finally, even in the most unlikely or actually not understandable case that a person skilled in the art would actually guide the pipe 66 of Gluntz et al. independent of the collector 64, he or she would still not obtain a system according to the invention of the instant application. Even if the pipe 66 were guided independent of the collector 64, it cannot be underestimated that the condenser 54 in the system according to Gluntz et al. is still located outside of the containment, and that the component 64 is the actual collector.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since claims 3, 5 and 7 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 4 on pages 4-5 of the above-mentioned Office action, claims 2, 4, 6 and 8 have been rejected as being unpatentable over Gamble et al. (US Pat. No. 6,069,930) in view of Shirochika or Ishimoto under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 2 calls for, inter alia:

- a condenser disposed in said pressure chamber and defining a region around said condenser;

- a condensing pipe leading into said condensing chamber; and

- a drain pipe for noncondensable gases, said drain pipe fluidically connecting said region around said condenser to said condensing chamber, and said drain pipe having a top end disposed above said condenser, and said drain pipe defining a direct connection to said condensing chamber, and said drain pipe not connected to said condenser.

As discussed above, an important feature of the invention of the instant application is a medium-dependent parallel connection of the flow guide for the non-condensable gases, on the one hand, and the condensable steam on the other hand. This medium-dependent parallel connection enables a particularly targeted treatment of different media. This feature is not disclosed in any of the cited references.

In Gamble et al., the handlings of the non-condensable gases and condensable steam are not separated. In addition, Gamble et al. do not disclose "said drain pipe having a top end disposed above said condenser", as recited in claim 2 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 2. Claim 2 is, therefore, believed to be patentable over the art and since claims 4, 6 and 8 are ultimately dependent on claim 2, they are believed to be patentable as well.

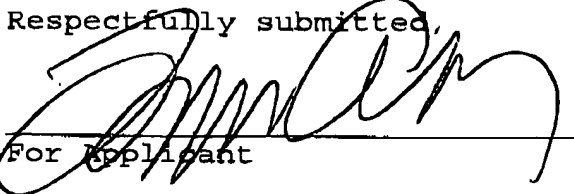
In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$110.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any fees which might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
For Applicant

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YHC:cgm

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